

REMARKS

Rejection of claims 1, 3, 5-14, 16-23, 31-37, and 40-43 under 35 U.S.C. § 102(b) as being anticipated by US 5,475,826 (Fischer)

Applicant respectfully traverses the rejection of claims 1, 3, 5-14, 16-23, 31-37, and 40-43. Reconsideration is respectfully requested.

Applicant would like to draw the Examiner's attention to independent claims 1 and 23. In particular, independent claim 1, as amended, recites "calculating a check hash value for said N information blocks." Further, independent claim 23, as amended, recites "utilizing said stored hash keys, including said first hash key, to calculate a check root key while utilizing said stored hash keys and said second hash key substituted in place of said first hash key to calculate a new root key." Thus, both claims 1 and 23 clearly recite that the check hash value/check root key is calculated for the **original, unaltered block of data, and not on the revised set of data.**

Applicant respectfully submits that Fisher does not anticipate, either expressly or inherently, each and every element as set forth in independent claims 1 and 23. For example, independent claim 1 recites "calculating a revised hash value... while calculating a check hash value for said N information block; then comparing said check hash value with said initial hash value" which is not anticipated either expressly or inherently, in Fischer. Similarly, independent claim 23 recites "calculating a second hash key for said revised block of data, wherein said revised block of data immediately prior to being revised corresponds to a first hash key and wherein said first hash key is one of said hash keys for said plurality of blocks of data; utilizing said stored hash keys, including said first hash key, to calculate a check root key while utilizing said stored hash keys and said second hash key substituted in place of said first hash key to calculate a new root key; comparing said check root key with said initial root key" which is not anticipated either expressly or inherently, in Fischer.

Fisher is directed to a method for protecting a volatile file using a single hash by permitting hash of a file to be taken on incremental basis. Fischer in col. 8, lines 39-57 states "[W]hen a record identified by Ki is updated (where Ri is the old record and R2i is the new record value), then the new revised database File hash is recomputed as: fileHash= F(Finv (fileHash, H(Ki & Ri)), H (Ki & R2i)) In other words, the hash of the former record is removed and the newly computed hash value is inserted. If a record identified by 'Ki' is removed from the

data base, database File hash is revised to: $\text{fileHash} = \text{F}(\text{fileHash}, \text{H}(\text{K}_i \& \text{R}_i))$. If a new record identified by K_i is introduced, then the revised hash becomes: $\text{fileHash} = \text{F}(\text{fileHash}, \text{H}(\text{K}_{ii} \& \text{R}_i))$. With this protocol, the revised hash can be computed as modified and stored. Further, Fisher in FIG. 2 and associated description in col. 10, line 54 to col. 11, line 2 states “[I]n block 1420, the value R_n of the record identified by K_n is read and decrypted as necessary. The computedHash is then augmented with the new record R_n , by computing: $\text{computedHash} = \text{F}(\text{computedHash}, \text{Hash}, ((\text{length of } \text{K}_n) \parallel \text{K}_n \parallel \text{R}_n))$... a check is made at block 1430 to determine whether the new ‘filehash’ is equal to the ‘computedHash’ if the hashes match the database file is valid....” Thus in view of the above citations, Fischer’s method comprises comparing a new fileHash to the computedHash, wherein the computedHash is computed after replacing the old record with the updated record. See Fischer FIG. 2, blocks 1070, 1090, 1110, 1200, and 1430. However, Fisher does not describe or suggest that the computed hash is calculated before updating the old record. Moreover, Fisher’s method requires that the calculation of the computed hash be done after the blocks have been revised. Thus, Fisher does not disclose or suggest comparing the initial hash value to a check hash value, wherein the check hash value is also calculated on the original, unaltered information block, as required by Applicant’s independent claims 1 and 23.

In view of the foregoing, Applicant respectfully submits that Fischer does not disclose “calculating a revised hash value... while calculating a check hash value for said N information block; then comparing said check hash value with said initial hash value” and ““calculating a second hash key for said revised block of data, wherein said revised block of data immediately prior to being revised corresponds to a first hash key and wherein said first hash key is one of said hash keys for said plurality of blocks of data; utilizing said stored hash keys, including said first hash key, to calculate a check root key while utilizing said stored hash keys and said second hash key substituted in place of said first hash key to calculate a new root key; comparing said check root key with said initial root key” as recited by independent claims 1 and 23. Applicant therefore submits that independent claims 1 and 23 are not anticipated by Fischer, and therefore the rejection of claims 1 and 23 under 35 USC 102(b) should be withdrawn. Applicant requests that claims 1 and 23 may now be passed to allowance.

Dependent claims 3, 5-14, 16-22, 31-37, and 40-43 depend from, and include all the limitations of independent claims 1 and 23. Therefore, Applicant respectfully requests reconsideration of dependent claims 3, 5-14, 16-22, 31-37, and 40-43 and requests the withdrawal of the rejection.

Rejection of Claims 2, 4, and 24 under 35 U.S.C. § 103 (a) as being unpatentable over US 5,475,826 (Fischer)

Applicant submits that dependent claims 2, 4, and 24 depend from, and include all the limitations of independent claims 1 and 23, which are deemed to be allowable in view of reason described above. Therefore, Applicant respectfully requests reconsideration of dependent claims 2, 4, and 24 and requests the withdrawal of the rejection.

Rejection of Claims 15, 28-30, and 38-39 under 35 U.S.C. § 103 (a) as being unpatentable over US 5,475,826 (Fischer) and further in view of US 5,754,659 (Sprunk)

Applicant submits that dependent claims 15, 28-30, and 38-39 depend from, and include all the limitations of independent claims 1 and 23, which are deemed to be allowable in view of reason described above. Therefore, Applicant respectfully requests reconsideration of dependent claims 15, 28-30, and 38-39 and requests the withdrawal of the rejection.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Date: February 20, 2009

Respectfully submitted,

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